

# WQAG Meeting Summary July 11, 2011

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Trudi Bick, public-at-large	✓		Paul Hlavinka
Beth Forbes, public-at-large	✓		Edgard Tellez-Morales
Erica Goldman, scientific/academic	✓		
Carol Henry, scientific/academic	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural		✓	
Daphne Pee, public-at-large	✓		
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental		✓	
Patrick Walsh, environmental		✓	
Martin Chandler, WSSC	✓		
Pam Parker, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00 p.m.- 7:30 pm - Presentation by Delegate Al Carr	<p>The meeting convened at 7:05 p.m. Delegate Al Carr (District 18) was introduced by Mike Smith. Del. Carr is on the House of Delegates Environmental Matters Committee and introduced two stormwater utility charge related bills last year. One bill would require the State to pay a stormwater utility charge for state properties in municipalities that assess a stormwater charge. The second bill targets Montgomery County only, requiring Montgomery County to pay for County properties in other municipalities that assess a stormwater charge, and conversely, requires the municipalities to pay the County fee for properties located in the County's Water Quality Protection Charge (WQPC) areas. Del. Carr feels that the stormwater utility charges should be applied evenly across jurisdictions, with no jurisdictions claiming exemption. Both bills were introduced last year, but did not pass; there were several unresolved issues that arose late in the process. Del. Carr formed a workgroup that will meet over the summer to address the unresolved issues. The workgroup is composed of representatives from the House of Delegates, Rockville, Gaithersburg, and Montgomery County. Should Del. Carr decide to re-introduce the bill in the fall, there will be a Council briefing and public hearings. Carol Henry suggested that Steve Shofar, Division Chief for DEP's Watershed Management Division and a member of Del. Carr's workgroup brief the group on the County's position before the WQAG takes a position on the bill, if re-introduced. Daphne Pee also suggested asking Councilmember and Council President Valerie Irvin to speak to the Committee about the issue.</p>		
7:30 p.m. Approval of May and June minutes, and July Agenda- Welcome of new WQAG members	<p>The minutes for May and June were approved with edits. The Council is scheduled to confirm three new WQAG members on July 12, 2011. The members are: Paul Hlavinka, Edgard Tellez-Morales, and Rafik Bazikian. Paul Hlavinka and Edgard Tellez-Morales attended the meeting. Co-Chair Pee gave some background on the group, and also described the three subcommittees of the group: The ESD subcommittee chaired by Danila Sheveiko, The Bay and local TMDL subcommittee chaired by Erica Goldman, and the Emerging Issues Subcommittee chaired by Tanya Spano</p>		

	and Trudi Bick.
7:50 p.m. Comments/ recommendations from June field trip	The Group discussed the field trip to the Eastern Village Co-Housing building. While the group agreed that the complex is interesting as a LEED Silver Green building, many of the Green Building Certification points were obtained through practices other than stormwater, and Eastern Village may not provide the best example of ESD to control stormwater to the MEP. Paul Hlavinka suggested the group look at the University of Maryland at Shady Grove. Erica Goldman suggested a redevelopment site in inner city Baltimore that took a watershed approach to treating impervious areas, and also is monitoring the results.
8:10 p.m. Discussion of draft letter on Anacostia reforestation and draft letter on antibacterial agents.	<p>Two draft letters were proposed. One letter proposed by Beth Forbes would relate to antimicrobial substances found in hand soaps and other consumer products, particularly those with troclocosan. Carol Henry questioned what the group's recommendation to the County would be and suggested further research into the issue.</p> <p>Mike Smith proposed a letter from the WQAG to the Executive regarding forest cover in the Anacostia. In the Anacostia Restoration Agreement of 2001, the executives of Montgomery and Prince Georges Counties, and the Maryland Governor Glendening, among others, agreed to protect and expand forest cover in the Anacostia Watershed. Mike stated that, according to the County's Forest Conservation Advisory Committee, construction of the ICC has resulted in a loss of 320 acres of forest cover in the Anacostia. Mike proposed a letter from the WQAG to the Executive advising the Executive to urge the State to honor its commitment in the Agreement and restore the lost forest cover. Mark Symborski stated that the State Highway Administration has been implementing ICC mitigation projects, but unfortunately the mitigation does not always occur in the areas where the forest cover loss occurred. Co-Chair Henry supported the letter, with further documentation on the amount of forest loss. Pam Parker agreed to check with the County Forester for documentation of the forest loss due to the ICC and forest cover gained as a result of ICC mitigation. Mark Symborski also agreed to check with M-NCPPC. Both will advise Mike Smith.</p>
8:30 p.m. Discussion of reply letter from Executive re: funding M-NCPPC	The group discussed the WQAG's letter to the County Executive and Council urging reconsideration of Park and Planning budget cuts. The Council did increase Park and Planning's funding using some of the Water Quality Protection Charge. The additional funding is to be used for staff time working in water quality areas.

<p>8:40 p.m. Agenda for August and September meetings</p>	<p>For future meetings, in August, the WQAG would like to hear from Steve Shofar, Manager of the County's Storm Water Management Division, on DEP's budget for FY13 and the County's position on the stormwater utility charge legislation being considered by Del. Carr. An update from Mike Smith on his draft Anacostia reforestation letter, and an update on Beth's letter regarding antibacterials and emerging issues was also proposed for August.</p> <p>In September, Co-Chair Henry suggested that Erica Goldman speak about the Corsica River Project, that Tanya Spano speak on the Green Area Ratio, and an update on the local allocations in the Bay TMDL's.</p> <p>Other ideas for future meeting include having Ryan Zerbe speak to the group on Outreach and Education activities as identified in the County's Implementation Strategy, having Mark Symborski give a Zoning Code rewrite progress update, a presentation by Martin Chandler on water reuse, and an update from Meo Curtis on the County's Rainscapes program.</p>
<p>9:00 p.m. Adjourn</p>	<p>The meeting was adjourned at 9:10 p.m.</p>

## WQAG Agenda July 11, 2011

7:00pm -Presentation by Delegate Al Carr (20 min presentation, 10 min Q&A); introduced by Mike Smith

[MC21-11](#): local stormwater charges legislation

[HB668](#): statewide stormwater charges legislation

7:30pm -Approval of May and June minutes, and July Agenda  
-Welcome of new WQAG members

7:50pm -Comments/recommendations from the June Field Trip

8:10pm -Discussion of draft letter on Anacostia reforestation (Mike Smith)

8:30pm -Discussion of reply from Executive RE: funding M-NCPPC

8:40pm -Agenda for August and September meetings

9:00pm -Adjourn

## Draft Letter on Anacostia Reforestation

In 2001, the Governor of Maryland, the County Executives of Montgomery County and Prince George's County and the Mayor of the District of Columbia, signed the Anacostia Watershed Restoration Agreement before public witnesses. In this Agreement, which can be seen online at [http://www.anacostia.net/Archives/download/2001\\_Agreement\\_Color.pdf](http://www.anacostia.net/Archives/download/2001_Agreement_Color.pdf), the jurisdictions committed to restoration targets. Among these targets was to "protect and expand forest cover" in the Anacostia watershed, as a way to improve its water quality.

Since then, the decision by the State of Maryland to build the Intercounty Connector has resulted in an actual reduction of forest cover in the Anacostia rather than the protection and expansion that was pledged. At a September 2009 Montgomery County Forest Conservation Advisory Committee meeting, a Maryland State Highway Administration representative reported that the ICC will result in a net 320 acre loss of forest cover in the Anacostia since 2001 when the Agreement was signed. Other reports, while with slightly different numbers, have consistently described significant lost forest cover acreage in the Anacostia.

A special concern to Montgomery County is its historic brown trout population in the Anacostia Watershed's Paint Branch. While not a native fish, the brown trout can only survive in cool water and its survival in the Paint Branch is a source of pride to Montgomery County. The Maryland Department of Natural Resources studies report that their numbers were dwindling even before the construction of the ICC. [http://www.anacostia.net/Archives/AWMC/documents/PB\\_Annual\\_Assessment\\_2010.pdf](http://www.anacostia.net/Archives/AWMC/documents/PB_Annual_Assessment_2010.pdf). The Upper Paint Branch had been designated a Special Protection Area by Montgomery County, yet this was ignored by Maryland in its decision to build the ICC.

In light of these facts, the Water Quality Advisory Group recommends that Montgomery County contact the State of Maryland and ask about its plans to reforest the Anacostia as it pledged. The State should be asked to approach public landowners in the Anacostia watershed in Montgomery County, such as the MNCPPC, the City of Takoma Park, or federal facilities such as the Food and Drug Administration (the former Naval Surface Warfare Center) on New Hampshire Avenue and find suitable lands for reforestation. After reforestation opportunities have been exhausted, and if there remains a deficit in forest cover in the Anacostia since the pledge was signed, the State should be asked to fund a major urban and street tree program in the Anacostia to make up for the difference.

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Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Rafik Bazikian, business	✓		Meo Curtis DEP-WMD
Trudi Bick, public-at-large	✓		
Beth Forbes, public-at-large	✓		
Erica Goldman, scientific/academic	✓		
Carol Henry, scientific/academic	✓		
Paul Hlavinka, public-at-large	✓		
Alan Kravitz, public-at-large			
Lonnie Luther, agricultural			
Daphne Pee, public-at-large	✓		
Fred Samadani, agricultural			
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Edgard Tellez-Morales, public-at-large	✓		
Patrick Walsh, environmental	✓		
Martin Chandler, WSSC	✓		
Pam Parker, DEP	✓		
Mark Symborski MNCPPC	✓		
Agenda Item	Major Points		
7:00-7:10 Review and Approve July Minutes & August Agenda	July minutes were approved with no changes. The August agenda was also approved.		
7:10-8:30 Presentation on DEP Budget, Rainscapes Program, and Outreach Efforts (Meo Curtis)	<p>Meo Curtis, Manager of the Watershed Planning and Monitoring Section, Watershed Management Division (WMD) presented information on three different subjects; WMD's FY12 budget, the status of the Rainscapes program, and WMD's Education and Outreach initiatives.</p> <p>WMD's budget must cover three different sections; the Stormwater Facility Maintenance and Inspections Program, the CIP Watershed Restoration Program, and the Planning and Monitoring Section's programs. WMD's major goals relate to meeting the MS4 Phase I NPDES permit requirements, including adding stormwater management controls to 20% of the untreated County impervious areas, and reducing other pollutants to meet local watershed TMDLs and the Montgomery County portion of the Chesapeake Bay TMDLs.</p> <p>WMD's FY12 budget also includes funding for GIS and database management, project oversight, and outreach, 30 WY for storm drain maintenance, and 1.869 million for water quality programs in Park and Planning. There was also \$533,000 added to the budget from the bag bill. FY12 next steps are to continue and accelerate CIP project implementation, improve tracking and accounting for water quality benefits, increase public outreach and environmental stewardship, enhance partnership opportunities with local governments and non-governmental entities, identify and pursue additional funding options.</p> <p>WMD programs are funded by the Water Quality Protection Charge (WQPC), originally established in 2003 to fund stormwater facility</p>		

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	<p>inspection and maintenance. The fund now covers other water quality programs related to MS4 permit requirements. In FY11, some of the WQPC was transferred to the Debt Service Fund for CIP bonds, which allows the WQPC to be lower per equivalent residential unit (ERU) than it would be otherwise. The FY12 WQPC is \$70.50 per ERU, and is assessed to all residential properties and associated non-residential properties that drain to a residential stormwater management facility. Each \$1 raise of the charge raises about \$230,000. There is a study underway currently to update the WQPC, including the possible addition of commercial property. The group discussed the presentation and asked what they could do to help with budget recommendations. Meo Curtis suggested waiting until December when the Office of Management and Budget releases budget projections that will provide more information on FY13 budget alternatives. Also the WQAG could comment during the public comment period after March 15.</p> <p>Meo next gave a presentation on the County's Rainscapes program, which includes a focused effort to implement Rainscapes projects in selected neighborhoods, and a Countywide rebate program available to all County residents. The program has been fully subscribed the last 2 fiscal years. The Rainscapes Rewards program has about \$100K budgeted for FY12, the Rainscapes Neighborhoods Program, about \$150K. In order to speed up and facilitate implementation of the targeted neighborhoods program, the County is partnering with local watershed groups to help screen the neighborhoods for project locations. Rainscapes for Schools was also budgeted \$50K in FY12.</p> <p>Meo next gave an update on WMD's education and outreach programs. for FY12. There are eight targeted outreach programs in the County's Implementation Strategy, Appendix E. The County has begun focusing on trash outreach, partnering with the Alice Ferguson Foundation and others to facilitate radio ads, and printed ads on buses and at bus stops. The County has also budgeted \$60K in FY12 to partner with the Interstate Commission of the Potomac River Basin (ICPRB) to develop watershed group capacity building, including providing administrative assistance to the groups needing to expand their watershed base. Other FY12 funded education and outreach initiatives include a WMD presence at the County fair, a pet waste pilot, sponsoring the Community Clean Water Summit, generating Adopt-A-Road Watershed signs, and outreach signs for CIP restoration projects.</p> <p>The group requested an early 2012 update from Ryan Zerbe on the education and outreach initiatives.</p>
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8:30-8:45 Update on Anacostia Reforestation Letter (Mike Smith)	<p>Mike Smith gave an update on the proposed letter recommending additional reforestation in the Anacostia watershed in Montgomery County, one of the restoration target goals identified by regional localities in the Anacostia Watershed Restoration Agreement. The letter proposes that the State establish a State park or forest preserve in the Anacostia watershed, identify lands on Federal facilities to reforest, and/or funding a major street tree planting program to make up the forest deficit due to construction of the ICC. The group felt that the letter needed to tie the loss of forest cover to a decline in water quality. Erica Goldman agreed to work with Mike to draft language to strengthen that tie.</p> <p>As SHA appears to have completed environmental mitigation measures related to construction of the ICC, the group felt that they should ask the State, specifically DNR, what plans exist to fulfill the Anacostia Watershed Restoration Agreement, specifically the agreement to reforest the Anacostia. The group identified Ken Yetman of DNR as the appropriate person to speak to the group on the issue. Mike Smith will invite Ken Yetman to speak to the WQAG.</p>
8:45-9:10 Update on Triclosan Issue (Beth, Trudi)	<p>The group further discussed the proposal to draft a letter on triclosan. The group recommended drafting a letter to the County Executive and Council that presents the health and environmental concerns, and identifies actions, such as County purchasing alternatives to soaps containing triclosan. The Emerging Contaminants sub-committee will continue to research the health and environmental concerns and pursue drafting the letter.</p>
9:10 p.m. Adjourn	



# **Water Quality Advisory Group Meeting Summary for August 8, 2011**

## **Attachment A. WQAG Agenda August 8, 2011**

- 7:00-7:10 Review and Approve July Minutes & August Agenda
- 7:10-8:10 Presentation on DEP Budget, Rainscapes Program, and Outreach Efforts (Meo Curtis)
- 8:10-8:35 Update on Anacostia Reforestation Letter (Mike Smith)
- 8:35-9:00 Update on Triclosan Issue (Beth, Trudi)
- 9:00 Adjourn

## Water Quality Advisory Group Meeting Summary- September 12, 2011

Member and affiliation	Present		Others in attendance and affiliation
	Yes	No	
Rafik Bazikian, business		✓	Dr. Zohreh Movahed, WSSC Regulatory Services
Trudi Bick, public-at-large	✓		David Lake MC-DEP Division of Water and Wastewater
Beth Forbes, public-at-large	✓		Mark Sommerfield DEP
Erica Goldman, scientific/academic		✓	
Carol Henry, scientific/academic	✓		
Paul Hlavinka, public-at-large	✓		
Alan Kravitz, public-at-large		✓	
Lonnie Luther, agricultural		✓	
Daphne Pee, public-at-large	✓		
Fred Samadani, agricultural	✓		
Danila Sheveiko, business	✓		
Mike Smith, environmental	✓		
Tanya Spano, environmental	✓		
Edgard Tellez-Morales, public-at-large		✓	
Patrick Walsh, environmental	✓		
Martin Chandler, WSSC	✓		
Pam Parker, DEP	✓		
Mark Symborski MNCPPC	✓		

Agenda Item	Major Points
7:00-8:30 Convene meeting. Presentations on rainwater harvesting and grey water reuse by Dr. Zohreh Movahed, WSSC, and David Lake, DEP	<p>The meeting convened at 7:00 p.m.</p> <p>Dr. Movahed presented WSSC's approach to developing a short term and long term strategy for allowing the use of non-potable water- such as rainwater and grey water - for limited use inside certain commercial buildings. Uses include flushing toilets, for irrigation and to wash buses. Dr. Movahed stressed the importance of consistent water quality standards for intended water uses, and explained WSSC's concerns.</p> <p>WSSC has strict plumbing codes developed to ensure the safety and reliability of potable water. Use of non-potable water can have health, legal, financial, perception and technical concerns. WSSC cannot be responsible for the safety and reliability of non-potable water, and looks to other agencies such as local health departments and DEP to ensure safety of non-potable water. MDE has established a Class IV WWTP effluent water standard for non-potable water used inside commercial and certain residential apartment buildings (purple pipe initiative) for toilet flushing, mechanical supply, and irrigation. A water use permit is required. MDE does not however, become involved with projects that reuse any water, other than Class IV WWTP effluent.</p> <p>WSSC has identified requirements for a systematic approach to non-potable water reuse, and a short term approval process for a WSSC waiver for non-potable water projects. In Montgomery County, an application for a WSSC waiver must include a DEP approved plan. Main elements of acceptable projects include use of reclaimed water from an approved source that meets established water quality standards for the intended use, a water treatment design, operation and maintenance requirements, sampling, recordkeeping and reporting requirements and a contingency plan. WSSC's long term strategy involves working with entities like DEP</p>

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	<p>to examine feasibility of water reuse pilot projects, and develop changes to the plumbing code for such projects, eliminating the waiver process. Dr. Movahed summarized that WSSC is in support of <u>safe</u> non-potable water systems to meet water conservation goals, and is committed to ensuring the safety of the public potable water system.</p> <p>To date, one County project has been approved, and one application for a WSSC waiver has been received.</p> <p>Dave Lake spoke about DEP's role in facilitating water reuse projects in the County. The County's new Equipment Maintenance and Operations Center (EMOC) will include a green roof and rainwater collection system that will disinfect water with a UV treatment system. The County Department of General Services developed a proposal that included a detailed design, operation, and maintenance program, which DEP reviewed and endorsed. WSSC then reviewed the proposal and granted the waiver to the plumbing code.</p> <p>DEP is also working with Takoma Park to include a design for rainwater harvesting and grey water reuse in their Public Works Facility renovation. DEP has approved Takoma Park's proposal, and has forwarded the proposal to WSSC as part of the application for a waiver of the plumbing code. Dave said the DEP will continue to work with WSSC towards the long term goal of defining acceptable changes to the plumbing code and the permitting process that will incorporate conservative standards and procedures for rainwater and grey water reuse projects in commercial applications.</p> <p>The group then discussed how the WQAG could best define a position on the issue of rainwater and grey water reuse. As rainwater harvesting is defined in the Maryland Stormwater manual, Chapter 5, as an ESD practice, the matter was referred to the ESD subcommittee to develop a support letter.</p>
8:30-8:35 Review and Approve August Minutes	The minutes were accepted with changes. Tanya Spano requested that meeting minutes drafts have the tracked changes removed prior to submittal to the group.
8:35-8:45 Triclosan letter (Trudi)	The letter was approved with minor changes. Patrick Walsh will put the letter on letter head. Pam will check to see if the Department of General Services can be copied on the letter.
8:45-9:10 Planning for October and November Meetings	<p>The group discussed inviting future speakers including Ken Yetman for October, Katherine Nelson for November. The group decided to try to invite Katherine and Ken for November together ideally. Mike Smith will ask Ken if he is available.</p> <p>Topics for future meetings were discussed. See Table A. below</p>

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9:10 p.m. Adjourn	The next meeting is October 17, 2011.
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Table A. Future Meetings- Speakers and Topics

Speaker/Affiliation	Subject	WQAG Coordinator	Date
Erica G.	Update on the local area allocations in the Chesapeake Bay TMDL	Erica	
	Corsica River Project	Erica	
	Project 263	Erica	
Tanya S.	DC's Green Area Ratio	Tanya	TBD
Mark S.	Zoning Code Re-write	Mark S.	TBD
Katherine Nelson, M-NCPPC	Forest issues and increasing forest cover in the County	Mark S.	November
Ken Yetman, MD DNR	Forest cover in the Anacostia	Mike S	October/November
Betsy Weinkam, Coastal Resources	ICC environmental mitigation and stewardship projects		
Mark S.	Update on First Baptist Church of Wheaton in Olney		October
Tanya S.	Climate change and adaptation discussion, impacts on stormwater	Tanya	
Katherine Nelson, M-NCPPC	Sewer extensions into protected areas and increase in impervious areas	Mark S.	

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## **Attachment A. WQAG Agenda September 12, 2011**

7:00pm Water Reuse Issues and Regulations in Montgomery County (Dr. Zohreh Movahed, WSSC Regulatory Services)  
7:45pm City of Takoma Park Project on Rainwater Harvesting Greywater Reuse (Dave Lake, MC-DEP Division of Water and Wastewater)  
8:30pm Triclosan Recommendations (Trudi)  
8:45pm Planning for October and November Meetings (Daphne, Carol, Mike, and Mark)  
9:00pm Adjourn